

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Richard Auchterlonie on 2/23/2011.
3. There was a typographical error in claim 28 of the Examiner's Amendment mailed out on 2/2/2011. Accordingly, claim 28 of the Examiner's Amendment mailed out on 2/2/2011 has been amend as follow.

28. (Currently amended) A data processing system comprising distributed processing units and a memory storing computer instructions and a processor coupled to the distributed processing units for distributing work requests to the distributed processing units, the computer instructions, when executed by the processor performing the steps of:

obtaining a respective utilization value of each distributed processing unit;
applying a function to the respective utilization value of said each distributed processing unit to obtain a respective weight for said each distributed processing unit; and

using the respective weights for the distributed processing units for distributing work requests to the distributed processing units so that the respective weight for said each distributed processing unit specifies a respective frequency at which the work requests are distributed to said each distributed processing unit;

wherein the processor is programmed for using the respective weights for the distributed processing units for distributing work requests to the distributed processing units by creating a distribution list containing entries indicating the distributed processing units, the respective weight for said each distributed processing unit specifying the number of the entries indicating said each distributed processing unit, and by randomizing the distribution list, and accessing the randomized distribution list for distributing the work requests to the distributed processing units as indicated by the entries in the randomized distribution list, and re-randomizing the distribution list for re-use once the end of the distribution list is reached during the distribution of the work requests to the distributed processing units as indicated by the entries in the randomized distribution list.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAMQUY TRUONG whose telephone number is (571)272-3773. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emerson C. Puente can be reached on (571)272-3652. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Camquy Truong/
Examiner, Art Unit 2196

/Emerson C Puente/
Supervisory Patent Examiner, Art Unit 2196